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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/502,217	07/21/2004	Naoyuki Hanaki	019519-431	9184

21839 7590 05/08/2006

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EXAMINER

SHAH, MANISH S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 05/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/502,217

Applicant(s)

HANAKI ET AL.

Examiner

Manish S. Shah

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/21/04</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

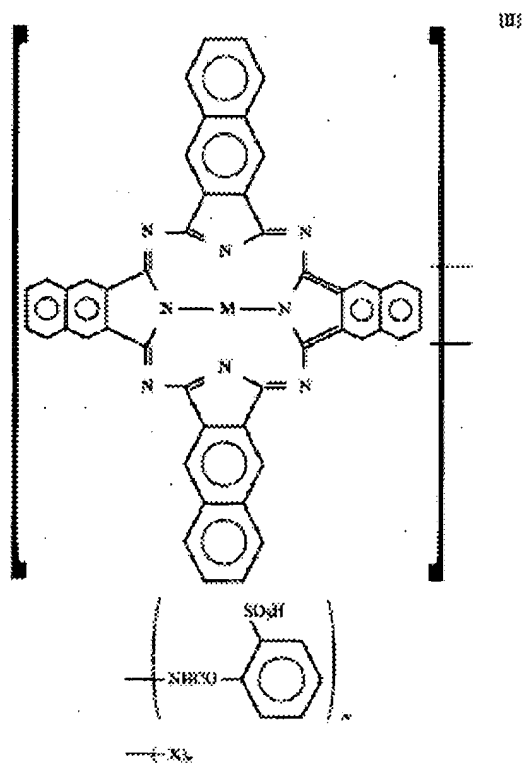
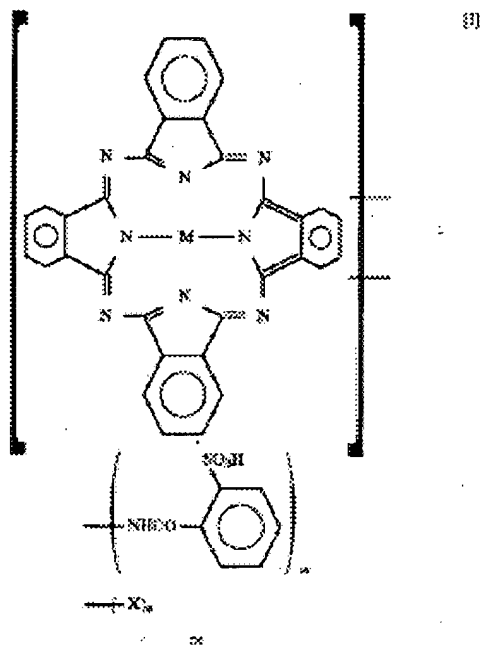
A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Yamasaki (# US 5739319).

Yamasaki discloses an inkjet recording method using ink for jetting ink on the image receiving material, wherein image receiving material including support having thereon an ink image receiving layer containing a white inorganic pigment particle (see Examples). They also disclose that an ink comprising a water-soluble phthalocyanine compound, and the absorption ratio b/a of the maximum absorbance b in the absorption band of 660 to 680 nm and the maximum absorbance a in the absorption band of 600 to 640 nm is less than 0.8 and the counter ion for the ionic hydrophilic group of the phthalocyanine compound is lithium ion (see Examples; see figure: 2, 4, 6 & 8). They also disclose that the phthalocyanine compound is represented by the formula as shown below (see Abstract; column: 2, line: 1-66).

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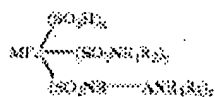
wherein X represents a halogen atom substituted at nucleus;
 M represents two hydrogen atoms, a divalent metal atom, a
 trivalent racemo-substituted metal atom, or a tetravalent
 di-substituted metal atom; m represents 4 or 8; and n
 represents an integer of 0 to 12.

2. Claims 2-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Carr (# US 2001/0011396 A1).

Carr discloses an inkjet recording method using ink for jetting ink on the image receiving material, wherein image receiving material including support having thereon an ink image receiving layer containing a white inorganic pigment particle ([0088]-[0095]), and wherein an ink comprising a water-soluble phthalocyanine compound, wherein said phthalocyanine compound is represented by the formula as shown below (see Abstract; [0004]-[0025]).

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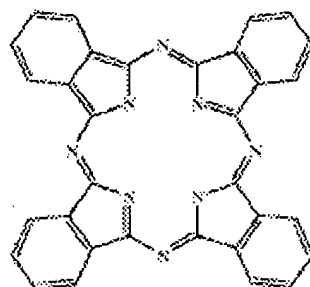
Formula (1)



and all IIP-effective forms of such compounds; and in which

M represents a metal or H;

Pe represents a phthalocyanine nucleus of Formula (2)



x+y+z represents an average from 3 to 4; and z may be zero.

A represents C₁₋₄-alkylene;

R₁, R₂ each independently represent H or C₁₋₄-alkyl;

R₃ represents H; or C₁₋₄-alkyl optionally substituted with hydroxy;

R₄ represents a carboxylic acid substituted aryl group; and

R₅ represents H, C₁₋₄-alkyl or a group of formula BD where:

B represents C₁₋₄-alkylene; and

D represents NR₆R₇ or SC₁₋₄-alkyleneSO₃H; where:

R₆ represents H; or C₁₋₄-alkyl, optionally substituted by hydroxy;

R₇ represents H; C₁₋₄-alkyl, optionally substituted by hydroxy or morpholine; or


R₆ and R₇ together with the N atom to which they are attached form a morpholine or piperazine ring.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

5/2/06